

SCHEDULE

Mr. LOTT. This morning the Senate will be in a period for morning business until 10:30 a.m. Following morning business, the Senate intends to consider and complete action on the following: A continuing resolution which continues funding through Friday, November 14; adoption of the foster care conference report—I am very pleased that we have been able to bring that very important matter to a favorable completion because it certainly needs to be done, and I think it is going to be a great help in getting children in foster care into adoption—and any other Legislative or Executive Calendar items that we can get cleared. However, no rollcall votes will occur in today's, Tuesday's, or Wednesday's session of the Senate. Of course, that is in observance of Tuesday, which is Veterans Day. Members will be given sufficient notice if any votes will occur on Thursday.

At this point there is a possibility of a couple of votes on Thursday, that is, Thursday, November 13, and there are some items that we would have to deal with yet, either an omnibus appropriations bill or the appropriations bills separately, if they wind up coming back to us in that way. But those would be the final items that we probably need to do before we adjourn for the first session.

The House has recessed until Wednesday, November 12, with the intention of concluding the appropriations process on that day. It is hoped that a few other remaining items can be considered by voice vote during Wednesday's session of the Senate, although I emphasize again no recorded votes.

Unfortunately, I cannot say at this time exactly what we can expect on Thursday. As the Members are finding out now, the House did not get to a conclusion on fast track. While we have not had enough time yet to discuss what happens next on that issue with the House leadership or with the administration, Senator DASCHLE and I have talked this morning. I have talked to the President's Chief of Staff. They will be having meetings this morning, and we would have some further announcement to make perhaps today or later on this week on what further will happen on the fast-track trade issue, if anything. Also, because of the energy and time that went into the fast-track efforts to come up with the votes in the House late last night, the House was not able to take up, of course, and deal with the appropriations bills. We will be working on that today and Wednesday.

MEASURE PLACED ON
CALENDAR—H.R. 2513

Mr. LOTT. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER (Mr. BROWNBACK). The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2513) to amend the Internal Revenue Code of 1986 to restore and modify

the provision of the Taxpayer Relief Act of 1997 relating to exempting active financing income from foreign personal holding company income and to provide for the non-recognition of gain on the sale of stock in agricultural processors to certain farmers' cooperatives, and for other purposes.

Mr. LOTT. Mr. President, I object to further consideration of the bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar for further consideration.

ORDER OF BUSINESS

Mr. LOTT. Two other comments. We will announce to Members a time for a vote, if any, on Thursday as soon as we can get information. That may not be, though, until Wednesday or Thursday.

Finally, it is our intent, serious intent, that we be finished for the year on Thursday of this week with adjournment at that time.

Mr. CONRAD. Will the leader yield for a question?

Mr. LOTT. I will be glad to yield to the Senator.

Mr. CONRAD. I thank the leader for his efforts to bring this session to a close.

THE HIGHWAY BILL

Mr. CONRAD. Mr. President, I ask the leader his intentions when we return, what the first order of business would be. The leader and I had had a chance to have a conversation last Friday, and he had indicated to me his intention was at that time that we would go to the highway bill when we return. Is that still the Senator's intention?

Mr. LOTT. Mr. President, it would be my intention. Of course, we would need to confer on that with the committee leaders. But I believe that Senator CHAFEE and Senator BAUCUS would like to take it up early. I talked with Senator DASCHLE about it. That is something I would like to maybe begin on the next day after the State of the Union but right at that first part. So we can go ahead and do our work and, hopefully, the House will follow our leadership.

One other issue that could come up early next year would be the juvenile justice bill reported out of the Judiciary Committee. I believe there is some language in the omnibus bill that we passed that would provide funds for it, but those funds are fenced until we do authorization. So that is something that could come up. And before we go out for the President's Day recess, we would also take up the Morrow nomination for a judicial position.

Mr. CONRAD. I thank the Senator. If I could just conclude the thought, a number of our States are very concerned about the highway legislation because, although we are going to have a 6-month extension here, they are concerned about having a short construction season and about our completing work on a highway bill in a timely way.

Mr. LOTT. Will the Senator yield so I can bring him up to date on that?

Mr. CONRAD. Yes.

Mr. LOTT. Throughout the day yesterday, meetings were occurring between the House and Senate leadership on the highway bill. We had passed in the Senate, as the Senator will recall, a fix which allowed flexibility so that some funds could be moved between accounts, if necessary, to keep the Department of Transportation employees working. I think there was a transit accommodation. So I think it had about four parts.

During the day yesterday, they were meeting with their counterparts in the House. I was led to believe last night that they had come to an agreement and that agreement, whatever it is—I just can't give you the total outlines of it now—would be attached to either the omnibus appropriations bill or one of the appropriations bills that would be going to the President for his signature.

Mr. CONRAD. So we will have a 6-month extension.

Mr. LOTT. I am not sure. As I said, I don't know what they came up with, but necessary actions to provide for safety, transit funds, and flexibility over some additional funds depending on what they agreed to, which I assume would take us to May 1.

But I do think, again, it is very important we have some deadline on this. Otherwise, we will never bring this very important but very difficult issue to a conclusion.

Mr. CONRAD. As one of the first orders of business when we turn to the 6-year bill.

Mr. LOTT. Right.

Mr. CONRAD. Which is what most of us would like to see, at least in this Chamber. We have a problem on the House side; they only want a 6-month bill, but we want a 6-year bill.

Mr. LOTT. Absolutely.

Do I have time?

If the Senator will allow me to respond—and I will yield the floor if you would like me to—the Senate, I believe, has acted very responsibly on this in terms of the package we had before us, the 6-year package within the budget. Obviously, there will be some important amendments to be offered.

As the Senator is aware, it got tangled up on an unrelated issue, but that issue will not be hanging over us on this bill when we come back.

What has me worried is I believe there are people really kind of interested in dragging this out because they want to keep the formula as it now is. I think the existing formula is fundamentally unfair to States like my own, and so I am very anxious for the Senate to keep the pressure on to move a 6-year bill that comes up with a fairer formula but also lives within budget constraints.

Mr. DORGAN. Will the Senator yield just for a moment on that point?

Mr. LOTT. I will be glad to yield.